



Policy Directive System

Policy Review Webinar

March 13, 2013



NOAA
FISHERIES

Sexual Harassment Policies,
VMS Data Access and Dissemination,
and the PDS Review Process



NOAA
FISHERIES

Equal Employment & Diversity Office

“EEO and Sexual Harassment Policies”

Natalie Huff, National Program Director

“NMFS is committed to zero tolerance for harassment, whether sexual or non-sexual, on the basis of race, color, national origin, religion, sex, genetic information, age (over 40), disability, sexual orientation, or protected activity.”

Samuel D. Rauch III

**DAA for Regulatory Programs, performing
the functions and duties of the AA for Fisheries
(Taken from 2013 NMFS Sexual Harassment Policy)**

Policies are Renewed Annually

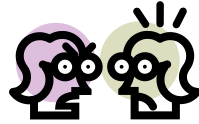
Objectives:

- To ensure full and fair opportunity for all employees and applicants, regardless of race, religion, gender, color, age, disability, sexual orientation, national origin or genetics;
- To enable all employees to carry out their duties in the workplace free from unlawful discriminatory treatment, including sexual and other workplace harassment and retaliation for engaging in legally protected activities.

When observed...

- “They help establish a baseline for acceptable behavior, which is important considering the vast array of lifestyles, values, and attitudes individuals have.”
- “Create an environment where individuals feel they are being treated fairly and equally, which can increase an individual’s level of commitment, satisfaction, and loyalty to their employer.”

Rationale



- Workplace policies and practices that impede fair and open competition in the federal workplace cost the American economy millions of dollars each year. The most obvious cost are out-of-pocket expenses borne by both agencies and federal workers in connection with workplace disputes.”
- “Perhaps less obvious – but just as expensive are cost associated with decreased morale and productivity and the ineffective and inefficient use of human capital resources.”



Source – EEOC’s participant’s Manual – May 2004

Key Definitions

Discrimination in an employment context, can be generally defined as treating an individual or group less well in recruiting, hiring, or any other terms and conditions of employment due to the person's or group's race, color, sex, religion, national origin, age, disability, or veteran's status.

Harassment

Sexual harassment is a form of sex discrimination that involves unwanted or unwelcome conduct of a sexual nature. This applies to harassment by a person against another person of the opposite sex as well as harassment by a person against another person of the same sex.

Workplace harassment is any unwelcome or unwanted conduct that denigrates or shows hostility or an aversion toward another person on the basis of an individual's race, color, gender, ethnic or national origin, age, religion, disability, marital status, sexual orientation, gender identity, or other personal characteristic protected by law. (Bully falls under this category and includes behavior that intimidates, offends, degrades or humiliates a worker).

NMFS EEO and Harassment Policies

Cover ALL employees

- Ensure accountability - reminds management and non-management of their roles and responsibilities in the workplace.
- Prevents harassment and discrimination on all protected bases (including, but not limited to, sexual harassment) and retaliation in the workplace.
- Informs employees as to what type of behavior is prohibited, and the steps to take if faced with a harassment situation.
- Provides for multiple avenues of redress, not just the EEO complaint process.

Failure to Comply...

*Could result in disciplinary action...
up to and including termination.*

Resources

NMFS EEO Policy

<http://home.nmfs.noaa.gov/employeeresources/EEO/snippets/1.pdf>

NMFS Harassment Policy

<http://home.nmfs.noaa.gov/employeeresources/EEO/snippets/harassment.pdf>

DAO 202-955 (Allegations of Harassment Prohibited by law)

http://www.osec.doc.gov/opog/dmp/daos/dao202_955.html

To obtain information about the Federal EEO Complaint Process

http://www.eeo.noaa.gov/eeo_complaint_process/

Thank you



For more information, please feel free to contact
Natalie Huff on 301-427-8025
or visit the EEO Webpage

<http://www.nmfs.noaa.gov/employment/>



NOAA
FISHERIES

VMS Data Access and Dissemination Policy

PD06-101

A Revision in Process

Kelly Spalding
NOAA Office of Law Enforcement

Policy Objective

- I. Addresses the need to ensure that VMS data is protected pursuant to MSA requirements (§402(b)).
- II. Linked to NAO 216-100, and 50 CFR 600.405-425, and IT Security and other IT requirements
- III. Contents of the Policy
 - Objective: Ensuring lawful and timely access to, and dissemination and management of, VMS information within NOAA Fisheries and to our external partners.

Policy Objective

- Legal Restrictions
 - May “not directly or indirectly disclose the identity or business of any person (or business) who submits information.”
- Guidelines and Procedures
 - Broad level guidelines
 - Collection, processing, dissemination, archiving, destroying VMS data.
 - Law Enforcement exceptions for dissemination
 - Non-disclosure requirements

Policy Objective

IV. Groups that are impacted by the Policy

- OLE
- OCIO
- All VMS and vTrack users – internal and external, including:
 - NMFS users
 - External users/requestors, including States, Councils and Commissions
 - USCG and other military requestors
 - FOIA requestors and academic requestors
 - Courts

Results of the Policy





NOAA
FISHERIES

When good policies go bad:

How to rescind a policy from the Policy Directives System

Heidi Lovett
Office of Policy

Objective

I. Review processes

- Renewal vs. Revision
- Rescission
- Emergency Rescission

II. Other helpful hints



Renewal vs. Revision

- **Renewal** – annually reviewed by Office of Primary Responsibility (OPR)
 - May include minor, technical, or formatting corrections.
 - Documentation signed by certifying official should indicate directive was reviewed and is current.
- **Recommendations for Updates or Revisions**
 - May occur during annual review
 - Request from a Leadership Council member may occur at any time; OPR decides whether to initiate immediately or during annual review.
 - **OPR may**
 - (1) **Recommend and proceed with revision or**
 - (2) **OPR may recommend not to have policy revised**

Revisions

- **(1) If proceeding with revision**
 - Review process by LC is same as for new policies (15 days)
 - Revised document with redline and strikeout is provided for GCF review.
- **(2) If OPR recommends no update for a policy** – the following is prepared for GCF review and then to the AA
 - Unchanged policy directive
 - Comments from other offices
 - Statement as to why suggested change should not be incorporated
 - **AA signs certification memorandum, rather than OPR Director (for policy directives).**



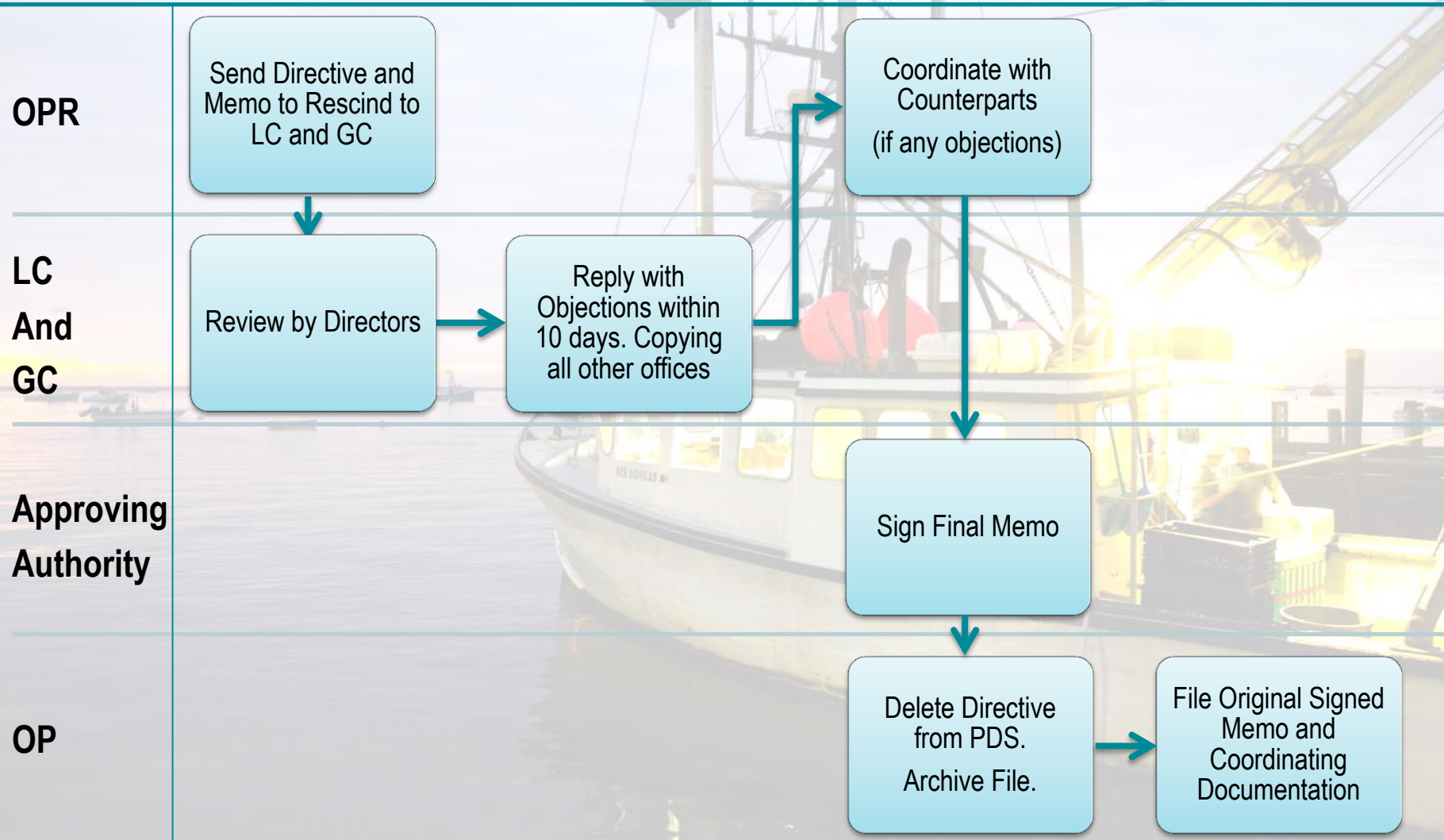
Rescissions

When a policy or procedure are no longer needed, process is essentially the same as for new policies.

- OPR sends directive along with memorandum to rescind to the LC and GCF.
- 10 working days provided for objections, which should be shared with entire LC.
- After coordination:
 - ONLY the AA can rescind policies; AA signs memo.
 - Office Directors can rescind and sign memos for procedures or supplements.
- Office of Policy deletes the directive, retires the number, and archives the file.



Standard Rescission Process



Emergency Rescissions

- Rarely used.
- In an emergency situation, the AA may immediately rescind a policy directive and the OPR a procedural directive, and then notify the LC, GCF, and Office of Policy of the rescission.
- Office of Policy distributes an e-mail notification to all PDS users; directive is removed from the PDS web site.
- Memo for the file is the same as a regular rescission.

PDS – Other helpful hints

Toolkit &
FAQs



Policy Directives Toolkit FAQ DOC Administrative Orders NOAA Administrative Orders

Fisheries Home » About Us » Policy » Policy Directives

NOAA Fisheries Policy Directives

This Policy Directive System (PDS) website is the official repository of NOAA Fisheries Service's policies and procedures. Please browse Directives 30-101 and 30-101-01 (via the 30 - Administration and Operations link below) for a full description and user's guide to the PDS.

Categories Search Directives: Search

Managing Marine Ecosystems

- 01 - Fisheries Management
- 02 - Protected Resources
- 03 - Habitat Conservation and Restoration
- 04 - Science and Technology
- 05 - Constituent Services
- 06 - Law Enforcement
- 07 - Seafood Inspection
- 08 - International Affairs

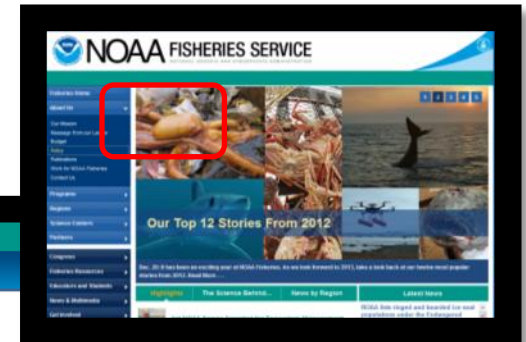
Administration & Internal Operations

- 30 - Administrative and Operations
- 31 - Financial Management and Budget
- 32 - Information Management
- 33 - Planning
- 34 - Facilities and Equipment
- 35 - Workplace Safety
- 36 - Human Resources
- 37 - Staffing and Organization
- 38 - Equal Employment Opportunity
- 39 - External Communications and Affairs

Recent Additions

- 04-108-04 OMB Peer Review Bulletin Guidance (12/12/11)
- 04-108-03 Section 515 Pre-Dissemination Review and Documentation Guidelines (7/27/2012)
- 04-108-02 Section 515 Pre-Dissemination Review and Documentation Form (6/1/2012)
- 04-108 Data Quality Act (7/27/2012)
- 33-102-02-04-fhc Program Performance Reporting Business Rules for HAB (10/30/2008)
- 33-102-02-03-fpr Program Performance Reporting Business Rules for PSP (11/07/2008)
- 33-102-02-02-fsi Program Performance Reporting Business Rules for PSP (11/07/2008)

<http://www.nmfs.noaa.gov/op/pds/>






Toolkit

Templates

-  [NMFS Policy Directive Template](#)
-  [NMFS Procedures Directive Template](#)
-  [NMFS Supplement Template](#)

Review & Certification


-  [Template for Annual Update Certification Memorandum for Policy Directives](#)
-  [Template for Annual Update Certification Memorandum for Procedural Directives](#)
-  [Template for Annual Update Certification Memorandum for Supplements](#)

Procedures

-  [Assembly of the NMFS PDS Policy Directives Package](#)
-  [Checklist for Writing Directives](#)
-  [Procedures for Rescinding NMFS PDS Directives](#)
-  [NMFS Policy Directive Writing Tips](#)

Useful Links

-  [FAQ](#)
-  [30-101 Policy Formulation](#)
-  [30-101-01 NMFS Directives System - Structure and Management](#)



NOAA Fisheries Policy Directives

<http://www.nmfs.noaa.gov/op/pds/>

QUESTIONS ?

